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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/807,445	05/23/2001	Martin Vogel	P20684	6733
7055	7590	10/29/2003	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C.			SHAPIRO, LEONID	
1950 ROLAND CLARKE PLACE			ART UNIT	
RESTON, VA 20191			PAPER NUMBER	

2673

DATE MAILED: 10/29/2003

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/807,445

Applicant(s)

VOGEL ET AL.

Examiner

Leonid Shapiro

Art Unit

2673

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 06 October 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

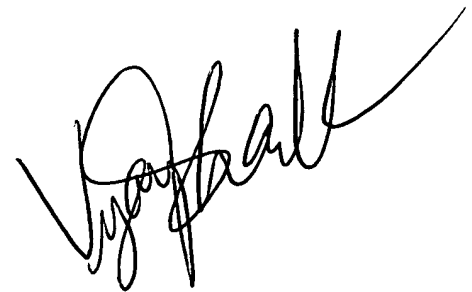
Claim(s) objected to: _____.

Claim(s) rejected: 11-25, 27-30.

Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Continuation of 5. does NOT place the application in condition for allowance because: On page 3 of the Remarks in relation to claim 25, Applicant's stated that Eastty et al. fails to provide any teaching or suggestion of the information and/or program stored, or how such information is utilized in practicing the Eastty et al. invention. However, Eastty et al. teach how program stored, or how such information utilized (See Fig. 3, items 240, 230, in description See Col. 2, Lines 45-54). On page 4, 2nd and 3rd paragraphs, Applicant's stated that Easttly et al. fails to teach or suggest how the ordinary skilled in the art would access and use algorithm library or use information from an algoritm library. However, in the final 103 rejection the LeBrat et al. reference used to show algorithm library, not the Easttly et al. reference. On page 5, 1st paragraph the Applicant's stated that the art of the record certainly fails to suggest that it would have been obvious to utilize a video processing algorith library in Eastty et al. reference. However, LeBrat et al. reference suggested how to use last algorithm on response to the test (See in description Col. 22, Lines 53-55) and Fig. 3 in Eastty et al. reference how to utilize standart computer resources to access algorithm library (See Fig. 3, items 230-240 and 270-280). On page 5, 2nd paragraph Applicant's stated the art fails to provide the requisite motivation for modification. However, the motivation could be found in the LeBrat et al. reference (See Col. 1, Lines 8-11 in the LeBrat reference). On page 7 of the Remarks in relation to claim 11, Applicant's stated that fails to provide any teaching of at least two elements and carrier located in front of screen and computer coupled to at least two elements. However, in the final 103 rejection Bergman et al. reference used for above mention limitations. Applicant's on page 8, last paragraph noted, that Bergmann discoses a front panel that includes knobs and several panel layers. Regarding connection between a computer with at least two elements need to be noted that computer still is located in the Eastty et al. reference and could be connected by combination of bothreferences. The applicant's also noted on page 9, 3rd paragraph that both references teach a same functional relation ship between elements for entering and adjusting values. On page 10 Applicant's stated that the art of record fails to provide the necessary motivation for combining the art of record. However the motivation for combining the art of recrd could be find in the Bergmann et al. reference (See Col. 1, Lines 39-41).



VIJAY SHANKAR
PRIMARY EXAMINER